

Barrett Daffin Frappier Turner & Engel, LLP
1900 St. James Place, 5th Floor, Suite 500
Houston, Texas 77056
(713) 693-2000

Attorneys for Selene Finance, LP, as servicing agent for Christina Trust, a division of Wilmington Savings Fund Society, FSB, as trustee for Normandy Mortgage Loan Trust, Series 2014-9

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

**IN RE:
KAI JEFFERSON**

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§

**CASE NO. 10-30111-H4-13
CHAPTER 13**

Debtor

**AGREED ORDER DEEMING THE MORTGAGE CURRENT AND
DIRECTING DEBTOR(S) TO RESUME PAYMENTS**

The Court has considered the Trustee's Notice of Final Cure Payment and Motion to Deem Mortgage Current. The Court finds that the parties stipulate as follows:

1. That this bankruptcy proceeding was filed by the Debtor on January 4, 2010; and
2. That Debtor is the owner of certain real property listed as the Debtor's principal residence and homestead commonly known as 2603 Quiver Lane, Houston, Texas (hereinafter the "Property"); and
3. That the Debtor's schedule D identifies CitiMortgage, Inc. as the identity of the creditor owning/holding a lien on the Debtor's residence; and
4. That the Debtor's Amended Chapter 13 Plan filed on March 11, 2010 and

confirmed by order of this honorable court on March 22, 2010, provided for the trustee to act as the disbursing agent for the ongoing mortgage payment payable to CitiMortgage, Inc., in the amount of \$514.55 per month and provided for the Chapter 13 Trustee to disburse arrearage funds to CitiMortgage, Inc. in the amount of \$6,600.00; and

5. That CitiMortgage, Inc. did not make an appearance in this bankruptcy proceeding and did not file a proof of claim in this bankruptcy proceeding; and
6. That the Chapter 13 Trustee has not made any disbursements to CitiMortgage, Inc. on the arrearage claim or on the ongoing post-petition mortgage payment; and

7. That on December 5, 2014, the Chapter 13 Trustee filed his Notice of Final Cure Payment and Motion to Deem Mortgage Current alleging that the mortgage loan held by CitiMortgage, Inc. had been brought current through and including the November 1, 2014 monthly mortgage payment; and

That on December 5, 2014, Selene Finance, LP, as servicing agent for Christina Trust, a division of Wilmington Savings Fund Society, FSB, as trustee for Normandy Mortgage Loan Trust, Series 2014-9, filed a secured proof of claim in the amount of \$61,518.52, with arrearages of \$11,642.82, listed as claim # 12 on the Bankruptcy Court's proof of claim registry (hereinafter the "Proof of Claim"); and

8. That the Proof of Claim filed by Selene Finance, LP asserts a lien on the Property which was listed in the name of CitiMortgage, Inc. in the Debtor's

schedules and Chapter 13 Plan; and

Based upon the foregoing, and in accordance with the announced agreement of the parties, the Court finds that the following Agreed Order should be entered. It is therefore:

ORDERED that David G. Peake, the Chapter 13 Trustee, shall disburse to Selene Finance, LP, as servicing agent for Christina Trust, a division of Wilmington Savings Fund Society, FSB, as trustee for Normandy Mortgage Loan Trust, Series 2014-9, the sum of \$36,944.87 in full satisfaction of all post-petition mortgage payments required to be paid by the Chapter 13 Trustee pursuant to the confirmed Chapter 13 Plan and in satisfaction of all arrearages owed on the claim. Said disbursement shall be mailed to Counsel for Selene Finance, LP, Mitchell J. Buchman, of the law firm of Barrett Daffin Frappier Turner & Engel, 12900 St. James Place, suite 500, Houston, Texas 77056.

IT IS FURTHER ORDERED that based upon the trustee's records, but subject to the Chapter 13 Trustee's compliance with the preceding paragraph of this Order, the Debtors have completed all payments to the Trustee required under the confirmed plan in this case to the following creditors whose claims are secured by a security interest in the Debtor's principal residence:

Selene Finance, LP, as servicing agent for Christina Trust, a division of Wilmington Savings Fund Society, FSB, as trustee for Normandy Mortgage Loan Trust, Series 2014-9

IT IS FURTHER ORDERED that subject to the Chapter 13 Trustee's compliance with the terms of this Order , the claims of the above-listed creditor(s) are deemed current through and including the November 1, 2014 monthly mortgage payment. All escrow deficiencies, if any, are deemed cured. All legal fees, inspection fees and other

charges imposed by the creditor, if any, are deemed satisfied in full. The creditor shall be solely responsible for any shortfall or failure to respond to the Trustee's notice and motion.

IT IS FURTHER ORDRED that the Debtor should begin making direct payments to the following creditors whose claims are secured by a security interest in the Debtor's principal residence:

<u>Creditor Name & Address</u>	<u>Amount</u>	<u>Next Payment Due Date</u>
Selene Finance, LP. PO Box 71243 Philadelphia, PA 19176-6243	\$514.55	December 1, 2014

SIGNED this ____ day of _____, 2015.

**JEFF BOHM, UNITED STATES
BANKRUPTCY JUDGE**

APPROVED AS TO FORM AND SUBSTANCE:

BARRETT DAFFIN FRAPPIER
TURNER & ENGEL, L.L.P.

BY: /s/ MITCHELL BUCHMAN
MITCHELL BUCHMAN
TBA NO. 03290750
1900 St. James Place, Suite 500
Houston, Texas 77056
Telephone: (713) 693-2014
Facsimile: (713) 693-2011
E-mail: NDECF@BBWCDF.COM
ATTORNEY FOR SELENE FINANCE,
LP.

/s/MAYUR M. PATEL
MAYUR M. PATEL
TBA NO. 24043863
THE SUGHRUE LAW FIRM, PLLC
5225 KATY FREEWAY, SUITE 505
HOUSTON, TEXAS 77007
ATTORNEYS FOR DEBTOR

/s/Richard W. Aurich, Jr.
Richard W. Aurich, Jr.,
Texas Bar Number: 000792339.
Staff Attorney
Office of David G. Peake, Chapter 13 Trustee
9660 Hillcroft, Ste 430
Houston, TX 77096
713-283-5400 X156
713-852-9084 Fax